

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Dequan Lynn Hall, by Next Friend Jerry Dwayne King Jr. v. City of
Detroit, a Municipal Corporation (plus John/Jane Doe Officers,
Detectives, Supervisors)

Hall v. City of Detroit · No. 2:26-cv-10023 · Decided January 8, 2026

SUMMARY

The court dismissed a civil rights complaint filed by Jerry Dwayne King Jr. as next friend of incarcerated plaintiff Dequan Lynn Hall against the City of Detroit and related defendants. The court held that King failed to establish Hall’s inaccessibility, incompetence, disability, or a sufficient relationship to support next-friend standing under Federal Rule of Civil Procedure 17(c) and *Whitmore v. Arkansas*.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 8, 2026
DOCKET	2:26-cv-10023
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court sua sponte dismissed a civil-rights complaint at the outset because the person who signed and filed it as Hall's next friend failed to establish next-friend standing.
STANDARD OF REVIEW	The court determined whether the complaint established next-friend standing and thereby justified the court's jurisdiction.
PRECEDENTIAL VALUE	Unknown

TOPICS

- standing
- civil rights
- section 1983
- prisoners rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether an incarcerated person may proceed through a next friend based solely on incarceration and limited access to legal materials.
2. Whether King established the prerequisites for next-friend standing by showing that Hall was unable to litigate independently and that King was dedicated to Hall's best interests and had a significant relationship with him.
3. Whether the complaint should be dismissed when the purported next friend lacks standing.

HOLDINGS

1. Incarceration, limited access to legal materials, or lack of legal knowledge does not by itself establish that a real party in interest is inaccessible or otherwise unable to litigate, and therefore does not establish next-friend standing.
2. King failed to establish next-friend standing because he did not demonstrate that Hall was unable to litigate on his own behalf and did not explain the significant relationship he claimed to have with Hall.
3. Because King lacked standing to file the action on Hall's behalf, the complaint and the cause of action were dismissed.

KEY QUOTATIONS

“Most important for present purposes, “next friend” standing is by no means granted automatically to whomever seeks to pursue an action on behalf of another.” (495 U.S. at 163-64 (quoted in opinion))

“The burden is on the “next friend” clearly to establish the propriety of his status and thereby justify the jurisdiction of the court.” (495 U.S. at 163-64 (quoted in opinion))

FACTUAL BACKGROUND

Hall was incarcerated, and Jerry Dwayne King Jr. attempted to file a civil-rights complaint on Hall's behalf as his next friend. The complaint alleged that Hall's incarceration limited his access to courts, legal materials, facts, documents, and litigation resources. It did not allege that Hall was a minor, mentally incompetent, or disabled, and it did not explain the nature of King's asserted significant relationship with Hall.

PROCEDURAL HISTORY

Jerry Dwayne King Jr. filed a civil-rights complaint on January 6, 2026, purporting to act solely as next friend for incarcerated plaintiff Dequan Lynn Hall. The complaint alleged that incarceration made Hall functionally unable to litigate, but did not allege that Hall was a minor, incompetent, or subject to a disability preventing him from prosecuting the action. The district court concluded that King lacked standing and dismissed the complaint and cause of action.

DISPOSITION

dismissed

CASES CITED

- Whitmore v. Arkansas, 495 U.S. 149, 163-64 (1990)
- Morgan v. Potter, 157 U.S. 195, 198 (1895)
- Nash ex rel. Hashimoto v. MacArthur, 184 F.2d 606, 607-08 (D.C. Cir. 1950), cert. denied, 342 U.S. 838 (1951)
- Wilson v. Lane, 870 F.2d 1250, 1253 (7th Cir. 1989)
- Smith ex rel. Missouri Public Defender Comm'n v. Armontrout, 812 F.2d 1050, 1053 (8th Cir. 1987), cert. denied, 483 U.S. 1033 (1987)
- Weber v. Garza, 570 F.2d 511, 513-14 (5th Cir. 1978)
- Morris v. United States, 399 F. Supp. 720, 722 (E.D. Va. 1975)
- Davis v. Austin, 492 F. Supp. 273, 275-76 (N.D. Ga. 1980)
- Groseclose ex rel. Harries v. Dutton, 594 F. Supp. 949, 952 (M.D. Tenn. 1984)
- Lucarelli v. United States, 65 F. App'x 926, 927 (6th Cir. 2003)
- Carpenter on behalf of Cardello-Smith v. King, No. 1:24-CV-465, 2024 WL 2349108, at *2 (W.D. Mich. May 23, 2024)
- Carpenter v. King, No. 24-1587, 2024 WL 5319080 (6th Cir. Dec. 5, 2024)
- Williamson v. Wakefield, No. 3:23-CV-P339, 2023 WL 7399128, at *2 (W.D. Ky. Oct. 3, 2023)
- Washington v. Neil, No. 1:18CV00589, 2019 WL 4743666, at *2 (S.D. Ohio Sept. 30, 2019)
- Pinkston v. Smith, No. 3:15cv786-CWR-MTP, 2015 WL 7289501, at *2 (S.D. Miss. Nov. 17, 2015)
- Drane v. Streck, No. 3:24-CV-00202, 2024 WL 4227033, at *2 (S.D. Ohio Sept. 18, 2024)
- Drane v. Streck, No. 3:24-CV-202, 2024 WL 4528937 (S.D. Ohio Oct. 18, 2024)

OPINION

Hall

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN

SOUTHERN DIVISION

DEQUAN LYNN HALL,

by Next Friend Jerry Dwayne King Jr., Case No. 26-10023 Plaintiff, Hon. Jonathan J.C. Grey v. CITY OF DETROIT, a municipal Corporation (plus John/Jane Doe Officers, detectives, supervisors), Defendants. _____/

OPINION AND ORDER

DISMISSING COMPLAINT (ECF No. 1)

On January 6, 2026, a civil rights complaint was filed with the above caption. (ECF No. 1.) The

complaint is signed by Jerry Dwayne King Jr. (“King”), who claims that: (1) he brought this action, and (2) he appears solely in a representative capacity, as next friend to Dequan Lynn Hall (“Hall”), the real party in interest. (Id. at PageID.5–6.) King claims his next friend status is proper pursuant to *Whitmore v. Arkansas*, 495 U.S. 149 (1990), Federal Rule of Civil Procedure 17(c), and “Sixth Circuit precedent permitting next-friend filings where a real party in interest is unable to litigate independently.” (Id. at PageID.5.) Federal Rule of Civil Procedure 17(c) allows a party to sue by a “next friend” as follows:

(1) With a Representative. The following representatives may sue or defend on behalf of a minor or an incompetent person: (A) a general guardian; (B) a committee; (C) a conservator; or (D) a like fiduciary.

(2) Without a Representative.

A minor or an incompetent person who does not have a duly appointed representative may sue by a next friend or by a guardian ad litem. The court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action. The complaint does not indicate that Hall is a minor or an incompetent person; it merely reflects that Hall is incarcerated. The complaint alleges that Hall’s incarceration “render[s] him functionally incapable of prosecuting this action without assistance” as he is “unable to adequately access the courts, investigate facts, secure documents, or meaningfully litigate this action on his own behalf.” (ECF No. 1, PageID.5.) The reliance on *Whitmore v. Arkansas* is similarly unhelpful. In *Whitmore*, the Supreme Court stated: A “next friend” does not himself become a party to the habeas corpus action in which he participates, but simply pursues the cause on behalf of the detained person, who remains the real party in interest. *Morgan v. Potter*, 157 U.S. 195, 198, 15 S. Ct. 590, 591, 39 L. Ed. 670 (1895); *Nash ex rel. Hashimoto v. MacArthur*, 87 U.S. App. D.C. 268, 269–270, 184 F.2d 606, 607–608 (1950), cert. denied, 342 U.S. 838, 72 S. Ct. 64, 96 L. Ed. 634 (1951). Most important for present purposes, “next friend” standing is by no means granted automatically to whomever seeks to pursue an action on behalf of another. Decisions applying the habeas corpus statute have adhered to at least two firmly rooted prerequisites for “next friend” standing. First, a “next friend” must provide an adequate explanation—such as inaccessibility, mental incompetence, or other disability—why the real party in interest cannot appear on his own behalf to prosecute the action. *Wilson v. Lane*, 870 F.2d 1250, 1253 (CA7 1989), cert. pending, No. 89–81; *Smith ex rel. Missouri Public Defender Comm’n v. Armontrout*, 812 F.2d 1050, 1053 (CA8), cert. denied, 483 U.S. 1033, 107 S. Ct. 3277, 97 L.Ed.2d 781 (1987); *Weber v. Garza*, 570 F.2d 511, 513–514 (CA5 1978). Second, the “next friend” must be truly dedicated to the best interests of the person on whose behalf he seeks to litigate, see, e.g., *Morris v. United States*, 399 F. Supp. 720, 722 (ED Va.1975), and it has been further suggested that a “next friend” must have some significant relationship with the real party in interest. *Davis v. Austin*, 492 F. Supp. 273, 275–276 (ND Ga.1980) (minister and first cousin of prisoner denied “next friend” standing). The burden is on the “next friend” clearly to establish the propriety of his status and thereby justify the

jurisdiction of the court. *Smith*, supra, at 1053; *Groseclose ex rel. Harries v. Dutton*, 594 F. Supp. 949, 952 (MD Tenn.1984). *Whitmore v. Arkansas*, 495 U.S. 149, 163–164 (1990) (emphasis added). Here, the complaint does not reflect that Hall is mentally incompetent or has any other disability. The complaint claims inaccessibility because Hall is incarcerated, but a next friend cannot file a complaint on behalf of an incarcerated person if the incarcerated person could file the action himself. See, e.g., *Lucarelli v. United States*, 65 F. App’x 926, 927 (6th Cir. 2003); *Carpenter on behalf of Cardello-Smith v. King*, No. 1:24-CV-465, 2024 WL 2349108, at *2 (W.D. Mich. May 23, 2024), certificate of appealability denied sub nom. *Carpenter v. King*, No. 24-1587, 2024 WL 5319080 (6th Cir. Dec. 5, 2024) (citing *Wilson v. Lane*, 870 F.2d 1250, 1253 (7th Cir. 1989) (citing *Weber v. Garza*, 570 F.2d 511, 513 (5th Cir. 1978))). Importantly, The fact that [plaintiff] is incarcerated, with limited or no access to legal materials, does not suffice to establish next friend status. *Williamson v. Wakefield*, No. 3:23-CV-P339, 2023 WL 7399128, at *2 (W.D. Ky. Oct. 3, 2023) (“Cox’s main argument seems to be that Petitioner is inaccessible because he is incarcerated and ‘has restricted access to legal documents.’ However, the fact of incarceration itself is insufficient to show that a petitioner is inaccessible.”); *Washington v. Neil*, No. 1:18CV00589, 2019 WL 4743666, at

*2 (S.D. Ohio Sept. 30, 2019) (prisoner’s lack of legal knowledge insufficient to establish next friend standing) (citing *Pinkston v. Smith*, No. 3:15cv786-CWR-MTP, 2015 WL 7289501, at *2 (S.D. Miss. Nov. 17, 2015) (allegations by petitioner’s brother that petitioner was blocked from law library and had his papers stolen insufficient to establish next friend standing)). *Drane v. Streck*, No. 3:24-CV-00202, 2024 WL 4227033, at *2 (S.D. Ohio Sept. 18, 2024) (emphasis added), report and recommendation adopted, No. 3:24-CV-202, 2024 WL 4528937 (S.D. Ohio Oct. 18, 2024). Other than Hall’s incarceration, the complaint fails to identify any inaccessibility with respect to Hall. King, Hall, and the complaint fail to show Hall’s inaccessibility, nor is there any allegation that Hall is a minor, is incompetent, or suffers from a disability that prevents Hall from prosecuting this action on his own behalf. Further, even if there was a basis for Hall having a “next friend,” King simply states that he “has a significant relationship with” Hall (ECF No. 1, PageID.5) but does not explain what that relationship is. For the foregoing reasons, the Court concludes that King lacks standing to file this action on Hall’s behalf. *Lucarelli*, 65 F. App’x at 927. Accordingly, IT IS ORDERED that the complaint (ECF No. 1) and this cause of action are DISMISSED. SO ORDERED. s/Jonathan J.C. Grey Jonathan J.C. Grey Date: January 8, 2026 United States District Judge Certificate of Service The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 8, 2026. s/ S. Osorio Sandra Osorio Case Manager

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